

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

In re TYCO INTERNATIONAL, LTD.	)	MDL Docket No. 02-1335-B
MULTIDISTRICT LITIGATION (MDL) 1335	)	<b>SECURITIES CATEGORY</b>
	)	
This Document Relates to:	)	Docket No. 03-CV-1352
	)	
ROSEMARIE STUMPF v. NEIL R. GARVEY,	)	
et al. (In re TYCOM LTD. SECURITIES	)	
LITIGATION)	)	

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**ORDER PERMITTING ISSUANCE OF AMENDED LETTER  
ROGATORY PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE  
28(b)(2)**

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The Court, having considered the Tycom Plaintiff's Motion to Amend Letter Rogatory to be issued for Deposition to be Taken Pursuant to Federal Rule of Civil Procedure 28(b)(2), the Amended Letter Rogatory for Deposition to be Taken Pursuant to Federal Rule of Civil Procedure 28(b)(2), the supporting papers submitted herewith, including the Declaration of Michael A. Schwartz, and all other proceedings herein, and good cause appearing therefore, hereby finds as follows:

1. Plaintiff has identified in the Motion to Amend all new factual allegations, legal claims, or parties, and has set forth the reasons why the Letter Rogatory dated October 26, 2006 requires amendment and why this information was not included in the original filing;

2. Specifically, that on May 22, 2007, the Irish State's Law Office requested that the Letter Rogatory issued on October 26, 2006 be amended to include: (1) a specific request that the deposition of Seamus (Jim) Brennan be taken by a U.S. attorney; and (2) the names, qualifications and memberships of the U.S. attorneys who will take the oral

deposition of Seamus (Jim) Brennan pursuant to Federal Rule of Civil Procedure 28(b)(2);

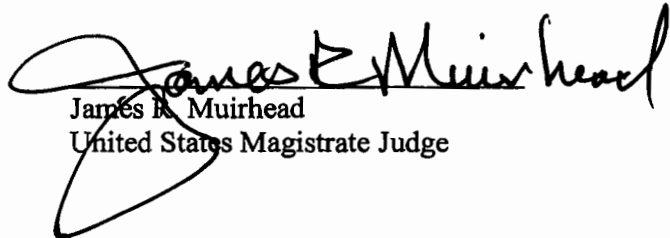
3. Deposition on oral testimony of Seamus (Jim) Brennan is relevant to the allegations contained in plaintiff's Consolidated Securities Class Action Complaint;


4. Seamus (Jim) Brennan is a person believed to be located in the Republic of Ireland; and

5. A Letter Rogatory is the proper method for executing a subpoena for the deposition of Seamus (Jim) Brennan.

ACCORDINGLY, IT IS HEREBY ORDERED that an Amended Letter Rogatory, pursuant to Federal Rule of Civil Procedure 28(b)(2) be issued to execute a subpoena for the deposition of Seamus (Jim) Brennan.

IT IS SO ORDERED.

  
James R. Muirhead  
United States Magistrate Judge

 June 25, 2007